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# **DORSEY BACK WITH NEW AFFIDAVITS; MORE DELAY IN APPEAL FIGHT LIKELY**

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Solicitor General Dorsey entered at once into the fight to prevent a new trial for Leo M. Frank on his return to Atlanta Wednesday morning. He came to this city to complete his preparation for the arguments set for hearing next Saturday before Judge L. S. Roan. For a week and a half, he had been working almost continually on the case in Valdosta, where he went with his assistant, A. E. Stephens, to avoid interruption.

The Solicitor was immersed Wednesday in a flood of letters and court documents that had accumulated during his absence. He was fearful that he would be unable to complete his preparations in time for the hearing Saturday, the indications being that a further delay would be asked until Wednesday or Saturday of next week.

He made arrangements soon after his return for a conference with the attorneys for the defense to whom he expected to suggest certain changes in the brief of evidence before it was brought into court.

### **Will Require More Time.**

These changes if agreed upon will require some time to complete and the Solicitor also has yet to follow up several lines of investigation which the allegations of the defense have compelled him to look into.

Dorsey returned to the city with a sheaf of affidavits relating to the alleged bias of Jurors Henslee and Johenning, but he has still a number of persons to interview on this matter which is being given extraordinary stress by the defense. The Solicitor would not say whether he had found any grounds for the charges of prejudice against the jurors, but the energetic manner with which he plunged into the case on his return appeared to indicate that he was preparing to combat every reason and every allegation advanced by the defense.

The large number of affidavits obtained by the defense was complicated the work of the Solicitor. Frank's lawyers not only obtained depositions charging that Henslee and other jurors had expressed their belief in Frank's guilt before the trial took place, but they rounded up scores of other leading citizens to testify to the trust worthiness and veracity of the original affiants.

It is believed that the Solicitor, if he pursues the thorough-going policy that marked his conduct of the Frank trial, will investigate the character and reputation of practically every man who has made a sworn statement before he goes into court to argue the question of a new trial.

### **Will Not Make Forecast.**

Solicitor Dorsey would not express his opinion Wednesday as to the probably outcome of the argument for a new trial, except to say that he was well satisfied with the work he had been able

to accomplish while in Valdosta, where he went so as not to be subjected to the usual office interruptions. He is still working on the charges of bias against Henslee, but would not disclose the results of his investigation.

Frank's lawyers have been ready to go ahead with the hearing for some time, but during the delay necessitated by the Solicitor's review of their reasons they have continued in their investigation of Henslee's attitude toward rank prior to the trial and claim to have uncovered a great deal more evidence of his bias and prejudice against the defendant.

They assert that on Henslee's remarks before the trial a new trial should be granted without the necessity of producing any other reasons. They are confident they will win in their fight.

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# **FRANK HEARING IS POSTPONED BY DORSEY**

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## **Solicitor General Asks Delay Until Wednesday on Arguments for New Trial.**

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The hearing of arguments on a new trial for Leo M. Frank has been postponed from Saturday until the following Wednesday. Solicitor General Dorsey Thursday informed Reuben Arnold, of counsel for the defense, that he could not possibly be prepared by Saturday to go ahead with the arguments, but that he hoped to be ready by Wednesday. The hearing accordingly was postponed to that day.

The hearing originally was set for October 4, and was set forward to October 11 at the request of the Solicitor. When it became apparent to Dorsey that he would not be able to review the voluminous reasons submitted upon he was granted another week's time. The postponement agreed upon Thursday is, therefore the third.

Owing to the delay of an express package from Valdosta, containing many of the records and practically all of the transcription of testimony taken at the trial, the Solicitor was unable to hold the conference Thursday morning with representatives of the defense for the purpose of coming to an agreement upon minor revisions in the brief of evidence prepared by Frank's lawyers.

Dorsey notified the defense that he would meet them as soon as the package arrived, and that he anticipated that the corrections would require only a few minutes time.

Frank's lawyers are prepared to go before Judge Roan at any time with their arguments for a new trial. They have built up what they regard as a very strong case against Juror A. N. Henslee, who they charge with extreme bias and prejudice. Solicitor Dorsey will not say what he has found in regard to Henslee.